

1 MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
2 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 ERIC A. TATE (CA SBN 178719)
ETate@mofo.com
4 RUDY Y. KIM (CA SBN 199426)
RKim@mofo.com
5 MORRISON & FOERSTER LLP
425 Market Street
6 San Francisco, California 94105-2482
Telephone: 415.268.7000
7 Facsimile: 415.268.7522

8 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsflp.com
9 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsflp.com
10 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
11 Washington DC 20005
Telephone: 202.237.2727
12 Facsimile: 202.237.6131

13 WILLIAM CARMODY (*Pro Hac Vice*)
bcarmody@susmangodfrey.com
14 SHAWN RABIN (*Pro Hac Vice*)
srabin@SusmanGodfrey.com
15 SUSMAN GODFREY
1301 Avenue of the Americas, 32nd Floor
16 New York, NY 10019-6023

17 Attorneys for Defendants
UBER TECHNOLOGIES, INC.
18 and OTTOMOTTO LLC

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 WAYMO LLC,
23 Plaintiff,
24 v.
25 UBER TECHNOLOGIES, INC.,
26 OTTOMOTTO LLC; OTTO TRUCKING LLC,
27 Defendants.
28

Case No. 3:17-cv-00939-WHA

**DECLARATION OF MICHELLE
YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR MOTION FOR
SUMMARY JUDGMENT, MOTION
TO STRIKE TS 96, AND DAUBERT
MOTION**

1 I, Michelle Yang, declare as follows:

2 1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this
3 declaration based upon matters within my own personal knowledge and if called as a witness, I
4 could and would competently testify to the matters set forth herein. I make this declaration in
5 support of Defendants' Administrative Motion to File Under Seal Portions of Their Motion for
6 Summary Judgment, Motion to Strike TS 96, and Daubert Motion.

7 2. I have reviewed the following documents and confirmed that only the portions
8 identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Motion for Summary Judgment, Motion to Strike TS 96, and Daubert Motion ("Motion")	Highlighted Portions	Defendants (Blue) Plaintiff (Green)
Exhibit 1 to the Declaration of Esther Chang	Entirety	Defendants Plaintiff
Exhibit 2 to the Declaration of Esther Chang	Highlighted Portions	Plaintiff (Green)

17 3. The blue-highlighted portions of the Motion and the entirety of Exhibit 1 to the
18 Chang Declaration contain highly confidential information regarding the technical details of
19 Uber's LiDAR systems, including specifications, diagrams, and schematics of LiDAR transmit
20 boards. This highly confidential information is not publicly known, and its confidentiality is
21 strictly maintained. I understand that disclosure of this information could allow competitors to
22 obtain a competitive advantage over Uber by giving them details into the technical components of
23 Uber's LiDAR sensors, such that Uber's competitive standing could be significantly harmed.

24 4. The green-highlighted portions of the Motion and Exhibit 2 to the Chang
25 Declaration, as well as the entirety of Exhibit 1 to the Chang Declaration, contain information that
26 has been designated "Highly Confidential – Attorneys' Eyes Only" by Waymo in accordance
27 with the Patent Local Rule 2-2 Interim Model Protective Order ("Protective Order"), which the
28

1 parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file
2 this material under seal in accordance with Paragraph 14.4 of the Protective Order.

3 5. Defendants' request to seal is narrowly tailored to the portions of the Motion and
4 its supporting papers that merit sealing.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed this
6 11th day of September, 2017 in Washington, D.C.

7
8 /s/ Michelle Yang

Michelle Yang

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11 **ATTESTATION OF E-FILED SIGNATURE**

12 I, Michael A. Jacobs am the ECF User whose ID and password are being used to file this
13 Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has
14 concurred in this filing.

15 Dated: September 11, 2017

16 /s/ Michael A. Jacobs

MICHAEL A. JACOBS